

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**SCOTT TURNAGE, CORTEZ D. BROWN,
DEONTAE TATE, JEREMY S. MELTON,
ISSACCA POWELL, KEITH BURGESS,
TRAVIS BOYD, and TERRANCE DRAIN on
behalf of themselves and
all similarly situated persons,**

Plaintiffs,

Case No. 2:16-cv-02907-SHM/tmp

v.

Consolidated with

Case No.: 2:17-cv-02015-JTF-dkv

**BILL OLDHAM, in his individual capacity
and in his official capacity as the Sheriff of
Shelby County, Tennessee; ROBERT
MOORE, in his individual capacity and in
his official capacity as the Jail Director of
the Shelby County, Tennessee; CHARLENE
McGHEE, in her individual capacity and in
her official capacity as the of Assistant Chief
Jail Security of Shelby County, Tennessee;
DEBRA HAMMONS, in her individual
capacity and in her official capacity as the
Assistant Chief of Jail Programs of Shelby
County, Tennessee; SHELBY COUNTY,
TENNESSEE, a Tennessee municipality;
and TYLER TECHNOLOGIES, INC., a
foreign corporation,**

Defendants.

**DEFENDANT TYLER TECHNOLOGIES, INC.'S MOTION TO DISMISS
SECOND AMENDED CLASS ACTION COMPLAINT**

Defendant Tyler Technologies, Inc. ("Tyler") moves this Court to dismiss the Second

Amended Class Action Complaint for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiffs bring only one claim of negligence against Tyler. Plaintiffs' conclusory allegations are not sufficient to state a claim for negligence against Tyler as a matter of law. In addition, the negligence claim is precluded by the economic loss doctrine. Tyler relies upon a memorandum in support of its Motion to Dismiss submitted contemporaneously herewith.

WHEREFORE, Tyler moves this Court to grant its Motion to Dismiss and for other such relief to which it may be entitled.

Dated: May 26, 2017

Respectfully submitted,

s/ Bradley E. Trammell

Bradley E. Trammell (# 13980)

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on May 26, 2017, a true and correct copy of the foregoing document was forwarded by electronic means through the Court's ECF System and/or email to:

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